

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ANTONIO LAMARR
NORWOOD, Minor.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
May 9, 2006

Petitioner-Appellee,

v

CHRISTINE VALDEZ,

Respondent-Appellant.

No. 265400
Oakland Circuit Court
Family Division
LC No. 03-676527-NA

Before: White, P.J., and Fitzgerald and Talbot, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g) and (l). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not err in allowing petitioner to amend the petition at the commencement of trial to include allegations that respondent's parental rights to four other children had been terminated where the prior termination had not occurred at the time the original petition was filed, all parties and their attorney's were aware of the termination, and respondent was afforded an opportunity to make an offer of proof with regard to the affect the amendment would have on her case and the need for an adjournment. Amendments to petitions are to be granted at any stage of the proceedings as the ends of justice require. MCL 712A.11(6).

Further, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent did not contest that the prior termination occurred. Moreover, the evidence indicated that respondent had failed to provide proper care and custody for the minor in this case and, because of her poor judgment and state of denial, would be incapable of doing so in a reasonable amount of time.

Finally, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interest. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-457;

612 Nw2d 407 (2000). There was no bond between the child and respondent. Respondent admitted that the child did not know her and the evidence indicated that respondent would not be able to care for the child in a reasonable amount of time. Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Helene N. White
/s/ E. Thomas Fitzgerald
/s/ Michael J. Talbot